

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

SOLOMON JUSCLIFF,

Plaintiff,

VS.

WAL-MART, et al.,

Respondent.

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NO. 3-09-CV-2158-K

**ORDER ACCEPTING FINDINGS, CONCLUSIONS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made findings, conclusions and a recommendation in this case regarding:

(1) Defendant Wal-Mart Stores Texas, L.L.C.'s Rule 12(b)(4)&(5) Motion to Dismiss for Insufficiency of Process and Service of Process, and Brief in Support, filed on December 2, 2009; and,

(2) Defendant City of Garland' Motion to Dismiss for Lack of Personal Jurisdiction (12(b)(2)), and Insufficiency of Service (12(b)(5), and Supporting Brief, filed on December 3, 2009.

No objections were filed. The District Court reviewed the proposed findings, conclusions and recommendation for plain error. Finding none, the Court **ACCEPTS** the Findings, Conclusions and Recommendation of the United States Magistrate Judge.

Therefore, Defendant Wal-Mart Stores Texas, L.L.C.'s Rule 12(b)(4)&(5) Motion to Dismiss for Insufficiency of Process and Service of Process, and Brief in Support, filed on December 2, 2009; and, Defendant City of Garland' Motion to Dismiss for Lack of Personal Jurisdiction (12(b)(2)), and Insufficiency of Service (12(b)(5), and Supporting

Brief, filed on December 3, 2009, are **DENIED** without prejudice.

The Court notes that Defendant Wal-Mart Stores Texas, L.L.C., and the City of Garland complied with the recommendation of the U.S. Magistrate Judge. The Parties are instructed to proceed in accordance with the terms of the U.S. Magistrate Judge's Recommendation.

SO ORDERED this 6th day of January, 2010.



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UNITED STATES DISTRICT JUDGE